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Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Security assurances against the use or threat of use of nuclear weapons

Working paper submitted by the Islamic Republic of Iran

1. The first atomic bombs, dropped on Hiroshima and Nagasaki, Japan, in August 1945, had a destructive power 10,000 times larger than that of previous explosive devices. Since then, thermonuclear bombs, which are a thousand times more destructive than fission bombs, have been designed and built. The continued existence of thousands of such bombs in the stockpiles of the nuclear-weapon States and the allocation of billions of dollars to modernize them have kept the fate of civilization and of humanity itself under horror and panic. Even with the conclusion of the Treaty on the Non-Proliferation of Nuclear Weapons, humankind has continued to live under the shadow of the possible use of the world's most destructive mass-terror weapons. Therefore, the provision of unconditional security assurances by the nuclear-weapon States to all non-nuclear-weapon States parties to the Treaty against the use or threat of use of nuclear weapons has been and still is an important and vital issue.

2. In the early 1980s, all five nuclear-weapon States, in response to the international demands for an unconditional and legally binding treaty on negative security assurances against the use or threat of use of nuclear weapons, as a first limited step accepted some qualified and conditional undertakings not to use such weapons against States parties to the Treaty and those that had renounced the production and acquisition of such weapons. In early April 1995, this pledge was reaffirmed through unilateral statements by the nuclear-weapon States, and on 11 April 1995, just days before the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Security Council adopted resolution 984 (1995), in which it took note of these unilateral statements and recognized the legitimate interest of non-nuclear-weapon States parties to the Treaty to receive assurances. The Security Council was also very explicit in considering that the resolution constituted a step in that direction.

3. The unilateral declarations of the nuclear-weapon States and the Security Council resolution were duly taken note of in a package of decisions adopted by the 1995 Review and Extension Conference. Paragraph 8 of decision 2 on principles

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and objectives for nuclear non-proliferation and disarmament stipulated that further steps should be considered to assure non-nuclear-weapon States parties to the Treaty against the use or threat of use of nuclear weapons, and that those steps could take the form of an internationally legally binding instrument.

4. Moreover, the new doctrines such as the Nuclear Posture Review of the United States of America, the development of easy-to-use mini-nuclear weapons and a recent increase in the number of cases in which some high officials of certain nuclear-weapon States have threatened non-nuclear-weapon States, such as the threats made by the United States and the President of France, have all put the non-nuclear-weapon States more than ever under the real threat of the possible use of nuclear weapons.

5. The United States, by developing new types of easy-to-use nuclear weapons and, recently, allocating billions of dollars to the modernization of its nuclear arsenal, constructing a new facility for the production of nuclear weapons and naming non-nuclear-weapon States as targets of such inhumane weaponry, is acting in contravention of Article 2, paragraph 4, of the Charter of the United Nations and is clearly violating its obligations under article VI of the Treaty and calling into serious question its commitment to its unilateral statement of 1995. Hundreds of millions of dollars have already been allocated to nuclear-weapon development projects such as those of the Trident programme of the United Kingdom of Great Britain and Northern Ireland or the mini-nuclear weapons of the United States and, recently, the addition of a nuclear-armed ballistic missile submarine to French nuclear arsenals. The international community should not wait for the deployment or even the threat of use of such weapons to react. Such policies and practices seem to show that no lessons have been learned from the nightmare of Hiroshima and Nagasaki. It is abhorrent that the threats and the dangerous doctrine of the use of nuclear weapons against non-nuclear States were officially proclaimed by the United States and the North Atlantic Treaty Organization.

6. The unilateral statements of 1995 and the subsequent Security Council resolution are inseparable parts of the deal at the 1995 Review and Extension Conference. The efforts undermining multilateral achievement in the field of disarmament are still seriously eroding the very credibility of the Treaty.

7. The Islamic Republic of Iran believes that the establishment of nuclear-weapon-free zones is a positive step towards strengthening global nuclear disarmament and non-proliferation, and should be complemented and strengthened through the provision, by all nuclear-weapon States, of unconditional and irrevocable legally binding assurances to all States parties to the treaties establishing such zones against the threat or use of nuclear weapons in all circumstances. Nevertheless, the Islamic Republic of Iran rejects the arguments stating that the declarations made by the nuclear-weapon States are sufficient, or that the negative security assurances should be granted only in the context of the nuclear-weapon-free zones. Insistence on such weak arguments only results in the further weakening of the package of conditions for the conclusion and extension of the Treaty on the Non-Proliferation of Nuclear Weapons and places the credibility of the Treaty in jeopardy. In addition, given the geographical limitation of the nuclear-weapon-free zones, negative security assurances guaranteed to States parties to the treaties establishing such zones cannot substitute for the universal, legally binding negative security assurances.

8. As the initiator of the proposal for the establishment of a nuclear-weapon-free zone in the Middle East in 1974, the Islamic Republic of Iran continues to firmly support the speedy establishment of such a zone. However, it is a matter of serious concern that the Israeli regime, through its continued refusal to join the Treaty on the Non-Proliferation of Nuclear Weapons, remains the only obstacle to the creation of such a zone. Accordingly, the Islamic Republic of Iran highlights the need to exert sustained international pressure on that regime to compel it to abide by the repeated calls by the international community to accede to the Treaty. In this regard, it is worth recalling that the Sixteenth Conference of Heads of State or Government of the Non-Aligned Countries, held in Tehran, the Islamic Republic of Iran, from 26 to 31 August 2012, in its Final Document, commended the initiatives by the Islamic Republic of Iran, Egypt and the Syrian Arab Republic on the establishment of a nuclear-weapon-free zone in the Middle East and, pending its establishment, demanded that Israel, the only country in the region that has not joined the Non-Proliferation Treaty or declared its intention to do so, renounce possession of nuclear weapons, accede to the Treaty without precondition and further delay, promptly place all its nuclear facilities under the full-scope safeguards of the International Atomic Energy Agency and conduct its nuclear-related activities in conformity with the non-proliferation regime. It also expressed great concern over the acquisition of nuclear capability by Israel, which poses a serious and continuing threat to the security of neighbouring and other States, and condemned Israel for continuing to develop and stockpile nuclear arsenals.

9. The Islamic Republic of Iran considers the total elimination of nuclear weapons to be the only absolute guarantee against the use or threat of use of nuclear weapons. Nuclear weapons should not imply political clout and the capability to shape and influence world events or change the decisions of sovereign States. Holding on to and expanding nuclear arsenals should be condemned rather than condoned or tolerated. Any increase in nuclear capability should equal a reduction in political credibility. As long as such weapons are in the stockpiles of the nuclear-weapon States, no one on Earth will have any security. It is therefore imperative to move ahead with concerted and firm resolve to stop and reverse this fast-paced drive. Certain nuclear-weapon States have tried to create smokescreens in the international forums, including the Treaty review process, to deflect attention from their abysmal record and policies.

10. Pending the total elimination of these inhuman weapons, as stipulated in the advisory opinion of the International Court of Justice on 8 July 1996, the Review Conference should announce unequivocally that to use or threaten to use nuclear weapons is illegal. At the same time, efforts for the early commencement of negotiations on effective, universal, unconditional, non-discriminatory, irrevocable and legally binding security assurances by all the nuclear-weapon States to all the non-nuclear-weapon States parties to the Treaty against the use or threat of use of nuclear weapons under all circumstances should be pursued by the international community as a matter of priority.

11. Therefore, we propose that the 2015 Review Conference establish an ad hoc committee to work on the illegality of the use and threat of use of nuclear weapons under all circumstances and the urgent need for the full realization of the right and the legitimate interest of all non-nuclear-weapon States parties to the Treaty to receive effective, universal, unconditional, non-discriminatory, irrevocable and legally binding security assurances from all five nuclear-weapon States against the

use or threat of use of nuclear weapons under all circumstances. As a first step to address the twin issues of the illegality of use and threat of use of nuclear weapons and negative security assurances, we continue to believe that the 2015 Review Conference should adopt a decision through which the Conference decides that the threat or use of nuclear weapons shall be prohibited under all circumstances and all five nuclear-weapon States shall undertake to refrain, under all circumstances, from the use and threat of use of such weapons against any of the non-nuclear-weapon States parties to the Treaty.

12. We strongly urge the upcoming Review Conference to move a step forward and make a concrete decision on negative security assurances in order to assure all non-nuclear-weapon States parties to the Treaty, on a non-discriminatory and unconditional basis, against the use or threat of use of nuclear weapons.